

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: OFFICE OF CONSUMER ADVOCATE, Complainant, vs. LOCALBIZUSA, INC., Respondent.	DOCKET NO. FCU-04-31
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**ORDER APPROVING SETTLEMENT AGREEMENT AND
ASSESSING CIVIL PENALTY**

(Issued August 5, 2004)

On June 1, 2004, the Consumer Advocate Division of the Department of Justice (Consumer Advocate) filed with the Utilities Board (Board) a petition for proceeding to consider a civil penalty for an alleged cramming violation committed by LocalBizUSA, Inc. (LocalBiz).

In the complaint, Consumer Advocate alleged that LocalBiz placed unauthorized charges on the complaining customer's local telephone bill in violation of Iowa's anti-cramming law, Iowa Code § 476.103 (2003). The complaint was identified as Docket No. FCU-04-31.

On August 2, 2004, the parties to this docket, Consumer Advocate and LocalBiz, submitted a joint motion for approval of a settlement agreement contained

in the motion. The settlement agreement addresses all issues in the docket and includes a monetary penalty against LocalBiz in the amount of \$500, which is to be paid within 30 days of this order.

The Board has reviewed the settlement agreement and will approve it. The settlement agreement is reasonable in light of the record, conforms with all applicable statutes and rules, and is in the public interest. 199 IAC 7.2(11).

IT IS THEREFORE ORDERED:

1. The "Joint Motion for Approval of Settlement Agreement" filed in this docket on August 2, 2004, is granted and the "Settlement Agreement" is approved.

2. Pursuant to Iowa Code § 476.103 and the "Settlement Agreement" filed August 2, 2004, LocalBizUSA, Inc., is assessed a civil penalty in the amount of \$500. Payment is due within 30 days of this order.

UTILITIES BOARD

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Sharon Mayer
Executive Secretary, Assistant to

Dated at Des Moines, Iowa, this 5th day of August, 2004.